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Kym Moore

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of:

Date: July 7, 2006

Philip Lee CHILDS et al.

Confirmation No: 7874

Serial No: 10/063,402

Group Art Unit: 2145

Filed: April 18, 2002

Examiner: Ajay M. Bhatia

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF ON APPEAL

Pursuant to 37 CFR 1.193(b)(1), Applicant responds to the Examiner's Answer mailed May 2, 2006, as follows:

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the Appeal Brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences is contained in the Appeal Brief.

(3) Status of Claims

A statement identifying the status of the claims is contained in the Appeal Brief.

(4) Status of Amendments

A statement identifying the status of amendments is contained in the Appeal Brief.

(5) Summary of Claimed Subject Matter

A summary of the claimed subject matter is contained in the Appeal Brief.

(6) Grounds of Rejection to be Reviewed on Appeal

A statement identifying the grounds of rejection to be reviewed on appeal is contained in the Appeal Brief.

(7) Response to Examiner's Answer

As discussed in the Appeal Brief, Batten-Carew discloses a secure communication system including an administrative entity, a serving entity, and one or more end-users (col. 2, ll. 62-66; see FIG. 1). In operation, when the administrative entity has an administrative function to perform on an end-user, the administrative entity sends an administrative function request to the serving entity (col. 4, ll. 22-25). The serving entity verifies the identity of the administrative entity and verifies whether the administrative entity is authorized to perform the administrative function request (col. 4 line 58 - col. 5 line 5). If the administrative request is consistent, then the administrative request is provided directly to the end-user (by the serving entity) or back to the administrative entity (which will then provide the information to the end-user) (col. 7 ll. 8-15).

In rejecting claim 5, the Examiner cites several portions of Batten-Carew – specifically, col. 3, lines 41-61, col. 4, lines 9-21, col. 4, lines 32-44, col. 4 lines 45-67, col. 5, lines 4-11, col. 7 line 65 – col. 8, line 14, and col. 6, lines 9-22 - as disclosing issuing a trusted message from a data center to at least one managed client when the authenticated administrative system has permission to perform a service command. Applicant respectfully disagrees.

In the cited portions above, Batten-Carew discloses only the serving entity 12 verifying a signature of the administrative entity 18, and the administrative entity 18 verifying a signature of the serving entity 12 (see FIG. 1) – and not the issuance of a trusted message from a data center (serving entity) to a managed client (end-user).

While Batten-Carew does disclose that the end-users 22-40 (or managed clients) are equipped with encryption software (see col. 3, lines 11-14), Batten-Carew discloses that the end-users transmits encrypted messages only to other end-users (col. 3, lines 14-17). Batten-Carew fails to disclose that the serving entity transmits encrypted messages to an end-user – i.e., Batten-Carew fails to disclose that the administrative requests provided to an end-user by the serving entity is an encrypted message.

Conclusion

Neither Batten-Carew and Davis discloses isolating administrative access to a plurality of client systems in a computer network via a data center for those reasons stated in the Appeal Brief. Batten-Carew and Davis also fail to disclose issuing a trusted message from the data center to at least one managed client system when the authenticated administrator system does have authorization to perform the service command, as required by the claims, for those reasons discussed above. Applicant,


therefore, respectfully submits that the pending claims 5-14 and 19-20 are not properly rejected under § 102 or § 103.

Please charge any fee that may be necessary for the continued pendency of this application to Deposit Account No. 50-3533 (Lenovo, Inc.).

Respectfully submitted,
SAWYER LAW GROUP LLP

July 7, 2006

Date


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